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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIMMY PEREZ AYON,

Defendant.

CASE NO. 2:22-CR-00176-TLN

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: March 27, 2025

TIME: 9:30 a.m.

COURT: Hon. Troy L. Nunley

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on March 27, 2025.

2. By this stipulation, defendant now moves to continue the status conference until May 1, 2025, at 9:30 a.m., and to exclude time between March 27, 2025, and May 1, 2025, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes approximately 3,380 pages of documents, including investigative reports, text messages, transcripts of recorded communications, and other materials, as well as multiple undercover

1 video and audio recordings. All of this discovery has been either produced directly to counsel  
2 and/or made available for inspection and copying.

3 b) Counsel for defendant was newly appointed on August 8, 2024, replacing prior  
4 counsel of record. *See* ECF 48 (minutes).

5 c) Counsel for defendant desires additional time to review this discovery, to conduct  
6 factual investigation, to evaluate potential responses to the charges, to confer with his client, and  
7 to otherwise prepare for trial.

8 d) The parties anticipate requesting to set a trial date at the next status conference on  
9 May 1, 2025.

10 e) Counsel for defendant believes that failure to grant the above-requested  
11 continuance would deny him the reasonable time necessary for effective preparation, taking into  
12 account the exercise of due diligence.

13 f) The government does not object to the continuance.

14 g) Based on the above-stated findings, the ends of justice served by continuing the  
15 case as requested outweigh the interest of the public and the defendant in a trial within the  
16 original date prescribed by the Speedy Trial Act.

17 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
18 et seq., within which trial must commence, the time period of March 27, 2025 to May 1, 2025,  
19 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
20 because it results from a continuance granted by the Court at defendant's request on the basis of  
21 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
22 of the public and the defendant in a speedy trial.

23 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
24 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
25 must commence.

26 IT IS SO STIPULATED.

1 Dated: February 24, 2025

MICHELE BECKWITH  
Acting United States Attorney

6 Dated: February 24, 2025

/s/ DAVID W. SPENCER  
DAVID W. SPENCER  
Assistant United States Attorney

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**ORDER**

12 IT IS SO FOUND AND ORDERED this 24<sup>th</sup> day of February, 2025.

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Troy L. Nunley  
Chief United States District Judge